

AGENDA

BOARD OF MAYOR AND ALDERMEN

August 1, 2006

7:30 PM

**Aldermanic Chambers
City Hall (3rd Floor)**

1. Mayor Guinta calls the meeting to order.
2. The Clerk calls the roll.
3. Presentation to the City regarding the placement of Stark Park on the National Historic Register by Co-Chairs of the Friends of Stark Park, Kit Reno and Pat Howard
4. Recognition of contributors to the Manchester Art Fund.
5. Presentation of Arts Award.

CONSENT AGENDA

6. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

Ratify and Confirm Poll Conducted

- A. On July 20 & 21, 2006 clarifying vote taken on July 11, 2006 referring the rezoning of Diocese property behind Gold Street to a public hearing on Monday, August 7, 2006 at 6 PM.
(Unanimous vote with the exception of Alderman Gatsas who abstained.)

Approve under supervision of the Department of Highways subject to the availability of funding

- B. Sidewalk Petitions – 50/50 Program FY2007.

Approve under supervision of the Department of Highways

- C. PSNH Petition #11-1116 located on Carl Drive.

Informational – to be Received and Filed

- D. Communication from Superintendent Ludwell providing an update on major decisions and projects for the School District.
- E. Communication from the State of NH, Office of Energy and Planning relative to federal disaster assistance and flood insurance.
- F. Communication from Catherine Yeager relative to 18-Plus Clubs.

REFERRALS TO COMMITTEES

COMMITTEE ON FINANCE

- G. Bond Resolutions:

“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project.”

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Million Dollars (\$4,000,000) for the 2007 CIP 712407, Cohas Phase 2 – Contract 2 Project.”

REPORTS OF COMMITTEES

COMMITTEE ON BILLS ON SECOND READING

- H. Recommending that Ordinances:

“Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester.”

“Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

ought to pass.

(Unanimous vote)

I. Recommending that Ordinance:

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

ought to pass as amended.

(Unanimous vote)

COMMITTEE ON COMMUNITY IMPROVEMENT

J. Recommending that the Black Brook Dam (a.k.a. Maxwell Pond Dam) be removed. The Committee advises that it has requested staff to pursue State, In-Kind services, and other funding sources to meet the estimated cost of \$115,000 for removal.

(Aldermen Garrity, Osborne, Gatsas and Duval voted yea; Alderman O’Neil was absent.)

COMMITTEE ON JOINT SCHOOL BUILDINGS

K. Advising that it has accepted the monthly report for June/July 2006 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

(School Committee Members Beaudry and Gelinas and Aldermen Roy, Thibault and Forest voted yea; School Committee Member Herbert was absent.)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

7. Nominations to be presented by Mayor Guinta, if available.

8. Confirmation of the nomination of Gerard L. Thibodeau to succeed Jen Drociak as a member of the Conservation Commission, term to expire August 1, 2009.

A motion is in order to confirm the nomination as presented.

9. Confirmation of the nomination of Kathleen Payne to succeed Dorothy Krasner as a member of the Board of Registrars, term to expire May 1, 2009.
A motion is in order to confirm the nomination as presented.
10. Confirmation of nominations to the Heritage Commission:
Derek M. Dufresne as an alternate, term to expire January 1, 2007; and
Stephanie F. McLaughlin as an alternate, term to expire January 1, 2007.
11. Confirmation of the nomination of Robert F. Martel as a member of the Planning Board, term to expire May 1, 2009.
A motion is in order to confirm the nomination as presented.
12. Confirmation of the nomination of Mark Laliberte to succeed Graham J. Chynoweth as a citizen member of the Safety Review Board, term to expire March 15, 2009.
A motion is in order to confirm the nomination as presented.
13. Confirmation of the nomination of Kristin Schmidt, MPAS to succeed Jazmin Miranda-Smith as a member of the Board of Health, term to expire July 1, 2009.
A motion is in order to confirm the nomination as presented.
14. Confirmation of nominations to the Conduct Board:
Jay M. Cadorette to fill a vacancy, term to expire October 1, 2007; and
Michael P. Craig to fill the Aldermanic appointment, term to expire October 1, 2008.
A motion is in order to confirm the nominations as presented.
15. Confirmation of the nomination of Carol Ann Williams to fill the unexpired term of David Jespersen, term to expire May 2007.
A motion is in order to confirm the nomination as presented.
16. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
17. Mayor Guinta calls the meeting back to order.

OTHER BUSINESS

18. Report(s) of the Committee on Finance, if available.

Ladies and Gentlemen, what is your pleasure?

19. State Legislative update presented by Mayor Guinta, if available.

20. Ordinances: **(A motion is in order to read by titles only.)**

“Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester.”

“Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester.”

“Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works.”

These Ordinances having had their second reading by titles only, the question is on passing same to be Enrolled.

21. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.

22. Mayor Guinta calls the meeting back to order.

23. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.]

Ladies and Gentlemen, what is your pleasure?

- 24.** Notice for reconsideration given by Alderman Roy on a motion to override the Mayor's veto relative to the adoption of a "Resolution Adopting the provisions of RSA261:154 Additional Fees for Registration Permits."
(Motion failed with Aldermen Roy, Duval, Osborne, O'Neil, Lopez, DeVries, Smith, Thibault and Forest voting yea; Aldermen Gatsas, Long, Pinard, Shea and Garrity voted nay.)
Ladies and Gentlemen, what is your pleasure?

- 25.** Communication from Kevin Dillon, Airport Director, requesting advance approval to initiate any necessary negotiations and equipment purchases associated with the development of regularly scheduled bus service between the terminal, the multi-modal transportation facility in Woburn, MA and the Sullivan Square MBTA Station in Boston.
Ladies and Gentlemen, what is your pleasure?

- 26.** Communication from Chief Kane requesting the Board's acceptance of a grant in the amount of \$9,375.00 from the State of NH for training in response to Bioterrorism.
Ladies and Gentlemen, what is your pleasure?

- 27.** Communication from Attorney Andrew Sullivan, on behalf of Ronald and Diane St. Hilaire and JAMCO, Inc., requesting the Board vote and affirm that pursuant to RSA 674:41 (I) (d) (1), issuance of building permits on Corson Street, a private way, is authorized.
Ladies and Gentlemen, what is your pleasure?

- 28.** Ordinances: **(A motion is in order to read by titles only.)**

"Amending Sections 33.024, 33.025, & 33.026 (Painter) of the Code of Ordinances of the City of Manchester."

"Amending 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

"Amending the Code of Ordinances of the City of Manchester by adding a new Chapter 54: Storm Water to Title V: Public Works."

These Ordinances, having had their third and final reading by titles only, the question is on passing same to be Ordained.

TABLED ITEM

A motion is in order to remove the following item from the table for discussion.

- 29.** Report of the Committee on Joint School Buildings advising that it has authorized processing of legal expense payments from the School Facilities Improvement Project Contingency regarding Gilbane.

(School Committee Members Beaudry, Herbert, Gelinas and Alderman Roy abstained; Aldermen Thibault and Forest were absent.)

(Tabled 07/11/2006 pending further information from Finance. Enclosed is a copy of a communication from the City's Bond Counsel issuing an opinion relative to the utilization of Bond proceeds to pay for outside counsel.)

30. NEW BUSINESS

- a) Communications
- b) Aldermen

- 31. A motion is in order to enter non-public session pursuant to RSA 91-A:3 II (a).**

- 32.** Mayor Guinta calls the meeting back to order.

- 33.** If there is no further business, a motion is in order to adjourn.